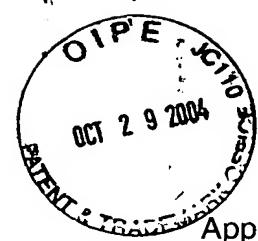


(FW)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Philip W. Wyers  
Appl. No.: 10/699,096  
Filed: October 31, 2003  
Docket No.: 2000  
Conf. No.: 2637  
Title: **METHOD OF CAPTURING INSECTS**

Art Unit: 3643  
Examiner: Darren W. Ark

Action: **SUPPLEMENTAL COMMUNICATION**  
Date: October 25, 2004

TO: Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL COMMUNICATION**

Sir:

In response to the Communication dated October 20, 2004, please replace the listing of claims currently on file with the attached replacement listing which provides a proper status identifier for each claim.

No additional fees are believed to be payable. However, the Commissioner is hereby authorized to charge any deficiency in the required fees, or to credit any overpayment, to deposit account number 13-1940.

Respectfully submitted,

**TIMOTHY J. MARTIN, P.C.**

By: \_\_\_\_\_

Timothy J. Martin, #28,640  
Michael R. Henson, #39,222  
Rebecca A. Gegick, #51,724  
9250 West 5<sup>th</sup> Avenue, Suite 200  
Lakewood, Colorado 80226  
(303) 232-3388



## CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

I hereby certify that the foregoing **SUPPLEMENTAL COMMUNICATION** (**5 pages**) is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 26<sup>th</sup> day of October, 2004.

A handwritten signature in black ink, appearing to read "Christy L. Burbank".

Christy L. Burbank



## CLAIM LISTING SHOWING CLAIM AMENDMENTS

1. (Currently Amended) A method of capturing insects, comprising:

(a) providing an elongated housing having an effective length and a sidewall which extends between an upstream end and a downstream end to substantially surround a housing interior, said housing constructed to permit airflow between said upstream end and said downstream end, while impeding passage of insects therebetween;

(b) providing a movable closure at an upstream end portion of said housing, with said movable closure being biased into a closed position hindering access to the housing interior through said upstream end;

~~(c) providing a purge valve that is movably disposed over a purge opening formed through the sidewall of said housing;~~

~~(d) evacuating air from said housing through said purge opening thereby to establish a potential vacuum source within the housing interior;~~

~~(e) placing said movable closure proximate to a target insect; and~~

~~(f) while maintaining the effective length of said housing, creating air pressure within the upstream end portion of said housing that is less than ambient pressure at the upstream end whereby ambient air is drawn into the housing interior at a sufficient flow to cause said movable closure to move into an open position thereby to create an entryway into the upstream region from the upstream end and to draw the insect into the upstream region to be trapped therein when the movable closure returns to the closed position.~~

2. (Original) A method according to claim 1 including providing a compression chamber at a downstream end portion of said housing, and

whereby the step of evacuating air from said housing is accomplished by compressing said compression chamber into a compressed position.

3. (Original) A method according to claim 2 whereby creation of air pressure within the upstream end portion of said housing that is less than ambient pressure is accomplished by returning said compression chamber to an uncompressed position.

4. (Original) A method according to claim 2 including resiliently biasing said compression chamber into the uncompressed position.

5. (Original) A method according to claim 2 including mechanically maintaining said compression chamber in the compressed position.

6. (Original) A method according to claim 1 whereby evacuation of air from the housing is accomplished before the movable closure is placed proximate to the target insect.

7. (Currently Amended) A method of capturing insects, comprising:

(a) providing an elongated housing having a sidewall which substantially surrounds a housing interior and which is partitioned into an upstream region and a downstream region, whereby airflow is permitted between said upstream and downstream regions while passage of insects therebetween is impeded;

(b) providing a movable closure at an upstream end portion of said housing, with said movable closure being biased into a closed position to hinder access to said upstream region from said upstream end;

(c) providing a compression chamber at a downstream end portion of said housing;

(ed) evacuating air through said sidewall at the downstream region of said housing by compressing said compression chamber into a compressed position, thereby to establish a potential vacuum source within the housing interior;

(de) placing said movable closure proximate to a target insect; and

(ef) creating air pressure within the upstream region of the housing interior that is less than ambient pressure at the upstream end, whereby ambient air is drawn into the housing interior at a sufficient flow to cause said movable closure to move into an open position, thereby to create an entryway into the upstream region from the upstream end and to draw the insect into the upstream region to be trapped therein when the movable closure returns to the closed position.

8. Canceled.

9. (Currently Amended) A method according to claim 8-7 whereby creation of air pressure within the upstream region of said housing that is less than ambient pressure is accomplished by returning said compression chamber to an uncompressed position.

10. (Currently Amended) A method according to claim 8-7 including resiliently biasing said compression chamber into the uncompressed position.

11. (Currently Amended) A method according to claim 8-7 including mechanically maintaining said compression chamber in the compressed position.

12. (Original) A method according to claim 7 whereby evacuation of air from the housing is accomplished before the movable closure is placed proximate to the target insect.